
GLOBALIZATION AND WATER RESOURCES MANAGEMENT: THE CHANGING VALUE OF WATER

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GLOBALISATION AND WATER RESOURCES MANAGEMENT IN SOUTHERN AFRICA

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ABSTRACT: The problematic of allocation and utilisation of inland water resources is placed frequently at the continental level, at a context in which goes beyond the national borders, and involving territories more or less huge under jurisdiction of more than one state. The convention on non-navigational uses of international watercourses adopted in 1997 has contributed for an improvement of the process of co-operation in this regard although most of the states in the region have not yet ratified. This has served the states as a basic tool when negotiating the SADC Protocol. This paper seeks to assess the attempts for co-operation process in regard to the management of shared water resources in the southern African Region, and its impact in the global village. This attempt has enabled the region to seek mechanisms towards that end through the conclusion of a Protocol in this area, as envisaged in the SADC treaty. However, a lot of work still remains to get the goal, as in the process of implementation of this instrument will require a review of national legislations.

KEY TERMS: international co-operation, southern Africa, globalisation

INTRODUCTION

The problematic of allocation and utilisation of inland water resources is placed frequently at the continental level, at a context in which goes beyond the national borders, and involving territories more or less huge under jurisdiction of more than one state. In principle, all water resources of a drainage basin should be utilised and allocated in an equitable and reasonable manner by the states sharing the basin. However, its difficult to define how equitable and reasonable manner on water resources allocation can be achieved. Although, many attempts have been tested for this end. Water resources must be used sustainably, so that future generations can continue to benefit from it. Water must be shared out equitably between consumers, so that all levels of society can make use of it. Finally, all consumers must share the responsibility and efficiently, with little or no wastage. These three core principles – sustainability, equity and efficiency – should guide all water developments.

Frequently, conflicts are caused due to utilisation of waters by states, without considering harmful conditions to the thirds. The unlimited scarce of water requires an improved manner of utilisation of the water resource through the integrated water resources management in the shared river basins. For sound and efficient management of the water resources, it is necessary co-operation among such states, taking into consideration the globalisation process. Requiring, for this end, integrated management and adjustment of standards.

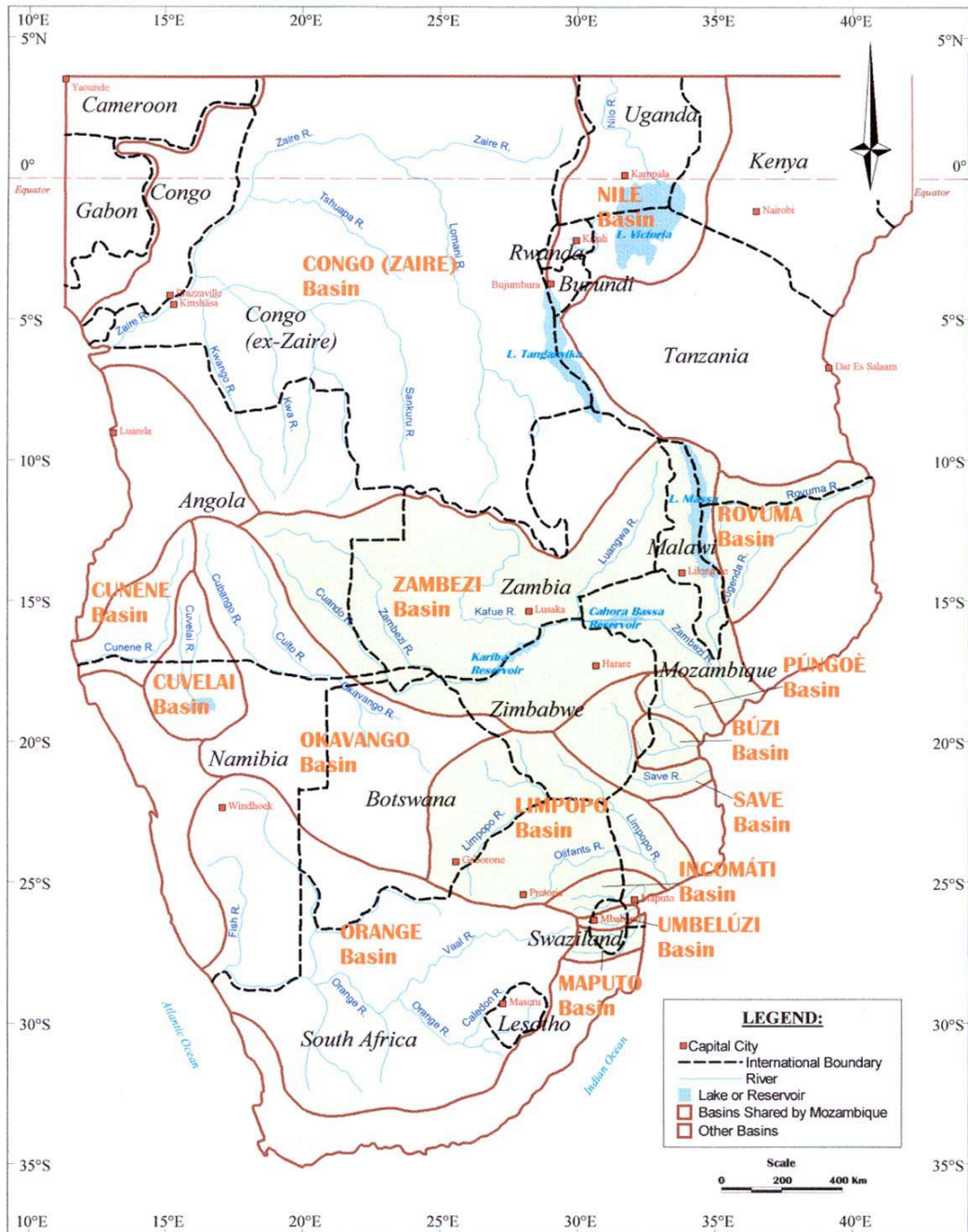
This paper seeks to assess the co-operation process with regard to the management of shared water resources in the southern African Region, and its impact in the global village. It further seeks to contribute for discussions among the various participants in this conference at the exchanging of experiences process that we are seated for at this Conference. This paper will comprise of a simple review of some doctrines defended by some scholars earlier and it will assess the role of the SADC towards the process of integration. An overview of the Convention on non-navigational uses of international watercourses will also be looked at as well as the Protocols on Shared watercourses in the Southern Africa region. The conclusion will bring the views and recommendations by the authors.

WATER SHARED BETWEEN COUNTRIES IN THE SADC REGION

In the SADC-region there are fifteen international drainage basins, with great potential for socio-economic development of the states that share them. Fifteen major rivers are shared between different SADC countries. The Zambezi basin, the largest and most important in southern Africa, occupies eight countries altogether.

SOUTHERN AFRICA

International River Basins Shared by Mozambique



Source: Hydrologic Section/DGRH/DNA, 1999

by JNF da Costa, 25-87-1999

Fig 3. International river basins in the SADC region

LEGAL ASPECTS IN THE JOINT UTILIZATION OF INTERNATIONAL WATERCOURSES

Since the use of water by one state in an international river basin influences users in the other states, legal regulation of the interests and sovereignties of basin states is necessary. There are a number of factors leading towards establishment of co-operation or conflict relations among people, States or even regions. Those of geographical nature such as neighborhood, the share of economical infrastructure (transport and communication) and natural resources such as rivers and lakes which contribute for the establishment of bilateral, trilateral or multilateral agreements among the contiguous neighboring states play an important role.

Throughout the centuries scientists have been attempting to find the most appropriate doctrines guiding the states for their rights and obligations in the use of international watercourses, such as: the absolute territorial sovereignty doctrine, absolute territorial integrity doctrine, the limited territorial integrity doctrine and the interests of the community doctrine. The doctrine of Community interest which seeks to defend the idea that waters of a given international watercourse must be developed and managed in an integrated manner, hence, international watercourses do not recognize the borders of any state, considerably embraces the spirit of the efforts of integration of SADC region.

This doctrine represents a more balanced perspective that seek to contribute for joint development of the riparian states within a shared watercourse. Direct or indirectly, the doctrines above mentioned are utilised at a certain level world-wide.

UN CONVENTION ON NON-NAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES

The United Nations Convention on Non-Navigational Uses of International Watercourses, which process of creation has taken all about thirty (30) years, represents the end of work of not only the UN International Law Commission but also the end of the most of the attempts made by various countries and scientists in seeking to find best alternatives to share international watercourses.

Because of this, the UN convention has attempted to incorporate, in an improved manner, most of the principles from the efforts made by such scientists, such as the Helsinki rules and even the essence of some of the doctrines, to benefit not only one state in particular but the interests of all states. The objective of the convention is to refrain with the selfishness of some states upstream and to provide preventive mechanisms for dispute resolution resulting from the improper utilisation of the international watercourses.

REGIONAL PERSPECTIVE IN THE SOUTHERN AFRICA CONTEXT OF SADC IN THE ISSUE OF INTERNATIONAL WATERCOURSES

For the SADC countries water is the key for the sustainable development. In Southern Africa as in any part of the world, development starts with water. The biodiversity of the Southern Africa of which it is world-wide famous, depends on water. The regional economy depends on water. One of the objectives of “SADCC – Southern Africa Development Community Conference” was the “establishment of links for creation of a regional genuine and equitable integration”. In 1992, countries comprising the SADCC, realised that the region had now reached a stage in which steps towards economical integration was now guaranteed.

In this context, the increasing level of co-operation would lead the states of the Southern Africa in giving response to problems related to national development, and to face challenges resulting from the complex global and regional environment. It was further realised that the re-structuring of economical sectors, as a basis for the self-growth and sustainable, to respond efficiently the world economy changes would be viable in a regional basis, rather than nationally. The SADC Treaty seeks to operationalise, in practice and material terms, such objectives and intentions.

Article 22 (1), recommends that Member States to establish Protocols in the relevant areas and a particular attention has to be paid for, in order to materialise the objectives, the scope and the institutional mechanisms for the co-operation and integration”. Such Protocols after being agreed upon and approved by summit, and ratified, become integral part of the Treaty.

It has been within the framework of co-operation initiated by the conclusion of the SADC Treaty which envisages specific areas of co-operation by the Member States as mentioned above and within the framework of globalisation, that Member States elaborated the Protocol on Shared Watercourse Systems in the SADC Region. This Protocol was signed in 1995. The signature of the SADC Protocol, in 1995, constituted a recognition of the capital importance of the integrated management and development of water resources in the region that plays an important role for the attainment of economical integration.

Although the signature of the 1995 Protocol was an important step, some States did so with reservations as it did not guarantee for the availability of water in sufficient quantity and quality for sustainable development. With the view to respond and satisfy the States which signed the protocol with reservations and in order to build strong pillars of co-operation in the region, Member States of SADC recognised the need to review the SADC Protocol.

Today, the revised Protocol incorporates new concepts, environmental concepts tempered with socio-economic imperatives which define the sustainable utilisation of water resources. Considering the scarcity nature of water resources in Southern Africa where major rivers and aquifers cross international boundaries it is essential that the integrated approach to water resources management and development be achieved through the implementation of the Revised Protocol.

CONCLUSIONS

In a national level it is imperative to make sensitisation campaigns, on the importance of utilisation of waters in a rational manner, given the fact that the scarcity of water is becoming increasingly and in order to guarantee the utilisation of water resources by future generations.

At the Regional levels, the integrated management approach in the shared river basins must be adopted, as States in SADC region constitute a security complex, in which the security of one State constitutes the security of all the States. And most importantly is the implementation of the SADC Revised Protocol. The shared water resources flowing in a specific State must not be considered as a property of such and unique State but to all sharing States. In order to meet the SADC objectives, States sharing river basins must jointly take appropriate common management measures, as well as equitable basis on the allocation of waters for all the States sharing such specific river basin.

The dilemma of the globalisation vs shared watercourses is the difficulty in meeting satisfactions for all States, as priorities of some States in water allocations differ from others as well as the level of development is different. However, taking into that some countries in the region have already developed their economies to face the challenges of globalization and others still have not even made any steps towards their economical development, an integrated management approach, harmonisation of standards and each other's global support for the attainment of the objectives of globalisation is necessary.